



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Masaharu MIYAHARA, et al.

Art Unit: 2835

Serial No.: 08/831,430

Examiner: G. Thompson

Filed: April 1, 1997

For: HEAT SINK AND ELECTRONIC DEVICE EMPLOYING THE SAME

RESPONSE TO ELECTION REQUIREMENT

The Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

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GROUP 2100

Sir:

In response to the Election Requirement of April 13, 1998, applicants hereby elect Figs. 1-3, with traverse. The claims readable on the elected species are independent claims 1 and 3 and claims 5, 7, 13 and 15 directly or indirectly dependent thereon.

Applicants respectfully request withdrawal of the Election Requirement. No unduly extensive or burdensome search would be required to examine the various claims of the noted Species in the same application. MPEP §803 states:

"If the search and examination of an entire application can be made without serious burden, the Examiner *must* examine it on the merits even though it includes claims to distinct or independent inventions." (Emphasis added)

In the present case, the search for all pending claims together would not be burdensome.

Moreover, from the standpoint of costs to the Applicants involved in filing, issuance and maintenance fees relating to separate applications if the present Election Requirement is maintained, it is clear that there is substantially more burden on Applicants by imposing the present Requirement than on the Patent Office if the Requirement were withdrawn.

#7/Election  
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In addition, it is noted that to require the claims of the various Species to issue in separate patents would result in inconvenience to the public by necessitating reference to more than one patent during searching, to review closely related subject matter.

Therefore, withdrawal of the Election Requirement is warranted.

Reconsideration and withdrawal of the Election Requirement are respectfully requested.

Respectfully submitted,

 Reg # 31,689

Date: May 11, 1998

 James E. Ledbetter  
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JEL/tnt

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